

**IN THE UNITED STATES
DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**SUSAN S. DEPAOLA, CHAPTER
7 TRUSTEE FOR THE
BANKRUPTCY ESTATE OF
PHILIP L. GOODWYN AND
SIMPLE PLEASURES, INC.,**

PLAINTIFFS,

V

**V. RESTAURANTS, INC., AND
VINCE SAELE,**

DEFENDANTS.

CASE NO.: 2:06-CV-00893-WKW

**(BANKRUPTCY CASE NO. 05-
32325-CHAPTER 7)**

**(BANKRUPTCY ADV. PRO. NO.
05-03062-WRS)**

**DEFENDANTS' MOTION TO STRIKE
PLAINTIFFS' NARRATIVE VOIR
DIRE**

COME NOW the defendants, V. Restaurants, Inc., and Vince Saele and moves this Honorable Court for an Order striking the Plaintiffs Narrative of the Case as listed on the Plaintiff's Proposed Voir Dire Questions by stating the following:

1. Plaintiffs filed their proposed voir dire questions which included a Narrative of the Case.
2. The narrative presented by the Plaintiffs is an argumentative opening statement and not fully stating the facts of the case.
3. It is the undersigned's experience that the Court normally provides a brief synopsis of the case merely to acquaint the jury with the nature of the case.

WHEREFORE, THE PREMISES CONSIDERED, Counsel for the Defendants pray that this Honorable Court will issue an order striking the narrative of the case as provided in the Plaintiffs Proposed Voir Dire Questions.

RESPECTFULLY SUBMITTED this the 23rd day of March, 2007.

/s/ Daniel G. Hamm

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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of this Defendants' Motion to Strike Plaintiffs' Narrative Voir dire by electronic transmission or by placing a copy in the United States Mail with sufficient postage for first class delivery to the attorneys named below.

DONE this the 23rd day of March, 2007.

/s/ Daniel G. Hamm

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